

Remarks

Claims 2-25 are rejected under 35 USC §112 (1) as failing to comply with the written description requirement. More specifically, the Official Action states that there is a lack of support for the limitations of "the puncture points being embedded in the soft plastic cover" and "each surface of the puncture points being in contact with the soft plastic cover." Applicant respectfully disagrees.

First, we direct the Examiner's attention to Figure 4 as originally filed. Figure 4 shows the points of the lancets embedded in the soft plastic cover. Second, we direct the Examiner's attention to paragraph [0048]. Paragraph [0048] describes the potential for having residues on the lancets upon removal of the covers. Such covers would not have the potential to provide residues if they were not in contact with the surfaces of the lancet. Third, the covers are consistently referred to as "soft plastic." This notation is consistent with a plastic that readily receives a lancet point embedded therein. Perhaps most clearly, paragraph [0019] describes the lancet points as embedded lancet points. Clearly, one of skill in the art would understand that embedding a lancet point in a soft plastic cover involves contact between the lancet puncture point surfaces and the cover. Similarly, on page 12, lines 26-29 it is noted that the soft plastic material is constructed in order to not modify the wetting behavior of the sample. Such an interference with the wetting behavior of the sample would only potentially occur in instances where the plastic material is in direct physical contact with the lancet. Thus, it is again clear that one of skill in the art would understand that such contact is disclosed.

Additionally, attention is drawn to the English translation of the PCT application as originally filed. Page 3, third paragraph provides several passages where the embedding of the lancet tip in a soft plastic material is disclosed. Page 3, lines 16-24 describe a "surrounding" relationship (see line 17) and an "embedding" relationship (see line 23). Additionally, silicone is provided as an example of a soft plastic material.

Claim 28 has been amended to depend from claim 18.

If necessary, Applicant requests that this response be considered a request for an extension of time appropriate for the response to be timely filed. Applicant requests that any required fees needed beyond those submitted with this amendment be charged to the account of Baker & Daniels, Deposit Account No. 02-0390.

The Examiner is invited to contact the undersigned at the telephone number provided below should any question or comment arise during consideration of this matter.

Respectfully Submitted,

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